

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Provide a replacement Abstract.
2. Editorially amend the specification (see remarks section C *infra*).
3. Editorially amend claims 1 and 9.
4. Amend independent claim 8 (see remarks section B *infra*).
5. Add new claims 12 – 18 (see remarks section B *infra*).
6. Traverse the drawing objections (see remarks section D *infra*).
7. Respectfully traverse all prior art rejections (see remarks section E *infra*).

B. THE NEW CLAIMS AND AMENDED CLAIMS

Independent claim 8 has been amended to include further subject matter of the specification as understood, e.g., from paragraphs [0020] *et. seq* thereof. New dependent claim 16, supported e.g., by paragraph [0020] of the specification, specifies reasons for service unavailability.

New independent claim 12 concerns a method of operating a wireless terminal which includes the acts of the wireless terminal requesting or receiving a service from a first communications network; the wireless terminal receiving, in certain time periods from the first communications network, updated availability information regarding the service from a first communications network; and the wireless terminal performing a switch to request or receive the service from a second communications network when the availability information from a first communications network indicates that the service is not available from the first communications network.

New independent claim 12 is supported, e.g., by paragraph [0017] of Applicants' published specification.

New dependent claims 13 and 14 specify that the availability information from the first communications network can be sent/broadcast to plural wireless terminals (dependent claim 13) or via dedicated message to the wireless terminal (dependent claim 14). See, e.g., paragraph [0017] of Applicants' published specification for support.

New dependent claim 15 concerns the wireless terminal indicating to the second communications network a priority level for the service. New dependent claim 18 is supported, e.g., by paragraph [0018] of Applicants' published specification.

New dependent claims 16 and 17 respectively require that the wireless terminal obtain from the updated availability information a reason for service unavailability (dependent claim 15) and an estimated time interval for service unavailability (dependent claim 17). New dependent claims 16 and 17 are supported, e.g., by paragraph [0007] of Applicants' published specification.

New dependent claim 18, dependent upon independent claim 8, requires determining that the service utilized by the connection is at least temporarily unavailable at the first cellular mobile communication network by reason of link interruption; congestion; or resource shortage. For support, see, e.g., paragraph [0020] of Applicants' published specification.

C. THE SPECIFICATION AMENDMENTS

Among the specification amendments is repetition of the subject matter of paragraphs [0007] – [0009] in the detailed description portion of the specification as well as in the summary portion from which these paragraphs were copied.

D. THE DRAWINGS

The office action did not provide any rationale for the drawing objection indicated in box 10 of the PTOL-326 Office Action Summary document. Therefore the undersigned telephonically contacted the Examiner and only thereupon learned that the Examiner considered certain reference numerals of Fig. 2 and Fig. 3 not to be mentioned in the specification. To advance prosecution the undersigned has endeavoured to moot the unwritten objections by amendments to the specification which insert the reference numerals 21 – 23 of Fig. 2 and 31 – 32 of Fig. 3. Specifically, a new paragraph has been inserted on page 7, between lines 2 and 3, with such new paragraph essentially repeating the brief description of the drawings as already resident in the specification and further explicitly including messages corresponding to the aforementioned reference numerals.

E. PATENTABILITY OF THE CLAIMS

Claims 1-11 stand rejected under 35 USC 102(e) as being anticipated by U.S. Publication 2007/0264994 to Schwarz. All prior art rejections are respectfully traversed for at least the following reasons.

independent claim 8

Independent claim 8 concerns a method performed when releasing a connection from a first communications network to a second communications network, and specifically refers to including in a RRC Connection Release message an information element comprising a re-direction retry message to redirect the user equipment to the second cellular mobile communication network network. By contrast, the activities of U.S. Publication 2007/0264994 to Schwarz are confined to connection setup, and require that the Schwarz mobile station apprise the network of the other networks which the mobile station can use. As such, Schwarz cannot anticipate a method which concerns, e.g., connection release. Even in its connection rejection teaching Schwarz does not

teach or suggest a message from the Schwarz network explicitly indicate or identify a backup network, as the Schwarz mobile station must deduce a further network on its own.

independent claim 12

New independent claim 12 and claims dependent thereon require that the wireless terminal receive periodically updated service availability information from a first communications network and, on the basis of such availability information, perform a switch to request or receive the service from a second communications network. By contrast, in Schwarz only the network makes a determination that redirection is necessary, and the expression of the network determination is confined to rejecting a setup request.

F. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly requested.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

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Respectfully submitted,

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